

# EXHIBIT A

1 MICHAEL A. JACOBS (CA SBN 111664)  
2 MJacobs@mofo.com  
3 ARTURO J. GONZÁLEZ (CA SBN 121490)  
AGonzález@mofo.com  
3 MORRISON & FOERSTER LLP  
4 425 Market Street  
San Francisco, California 94105-2482  
Tel: 415.268.7000 / Fax: 415.268.7522  
5  
6 KAREN L. DUNN (*Pro Hac Vice*)  
kdunn@bsfllp.com  
7 HAMISH P.M. HUME (*Pro Hac Vice*)  
hhume@bsfllp.com  
8 BOIES SCHILLER FLEXNER LLP  
1401 New York Avenue, N.W.  
Washington DC 20005  
9 Tel: 202.237.2727 / Fax: 202.237.6131

10 WILLIAM CARMODY (*Pro Hac Vice*)  
bcarmody@susmangodfrey.com  
11 SHAWN RABIN (*Pro Hac Vice*)  
srabin@susmangodfrey.com  
12 SUSMAN GODFREY LLP  
1301 Avenue of the Americas, 32nd Floor  
13 New York, NY 10019-6023  
14 Tel: 212.336.8330 / Fax: 212.336.8340

15 Attorneys for Defendants  
16 UBER TECHNOLOGIES, INC.  
and OTTOMOTTO LLC

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 WAYMO LLC,

Case No. 3:17-cv-00939-WHA

21 Plaintiff,

**DEFENDANTS UBER  
TECHNOLOGIES, INC. AND  
OTTOMOTTO LLC'S OBJECTIONS  
AND RESPONSES TO WAYMO'S  
REQUESTS FOR PRODUCTION  
RELATING TO ISSUES IN JACOBS  
LETTER (NOS. 1-40)**

22 v.

23 UBER TECHNOLOGIES, INC.,  
OTTOMOTTO LLC; OTTO TRUCKING LLC,  
24

Defendants.

25 Trial Date: February 5, 2018

26

27

28

In accordance with Rules 26 and 34 of the Federal Rules of Civil Procedure, and pursuant to the orders of the Court, Defendants Uber Technologies, Inc. and Ottomotto LLC (collectively “Defendants”) object and respond to Plaintiff Waymo LLC’s (“Plaintiff”) Requests for Production to Defendants Relating to Issues in Jacobs Letter, served at 10:55 p.m. November 30, 2017 (as appropriate, “Requests for Production,” “Requests,” or “Request”).

## **GENERAL OBJECTIONS**

7 Defendants make the following general objections (“General Objections”) to each  
8 definition, instruction, and request propounded in Plaintiff’s Requests for Production. These  
9 General Objections are hereby incorporated into each specific response. The assertion of the  
10 same, similar or additional objections or partial responses to the individual requests does not  
11 waive any of Defendants’ General Objections.

12        1. Defendants object to each Request, Definition, or Instruction to the extent it seeks  
13 or purports to impose obligations beyond or inconsistent with those imposed by the Federal Rules  
14 of Civil Procedure, Federal Rules of Evidence, or the applicable rules and orders of this Court.

15        2. Nothing in these responses is an admission by Defendants of the existence,  
16 relevance, or admissibility of any information, for any purpose. Defendants reserve all objections  
17 as to competency, relevance, materiality, privilege, or admissibility related to the use of their  
18 responses and any document or thing identified in their responses as evidence for any purpose  
19 whatsoever in any subsequent proceeding in this action or any other action.

20       3. Defendants object to each Request to the extent that it is overbroad and not  
21 proportional to the needs of the case, considering the importance of the issues in the action, the  
22 amount in controversy, the parties' relative access to relevant information, the parties' resources,  
23 the importance of the discovery in resolving the issues, and whether the burden or expense of the  
24 proposed discovery outweighs its likely benefit.

25       4. Defendants object to each Request to the extent it seeks a response from persons or  
26 entities that are not parties to the lawsuit and over whom Defendants have no control. Defendants  
27 respond to the Requests on Defendants' own behalf.

1       5. To the extent any Request, Instruction, or Definition may be construed as calling  
 2 for disclosure of information subject to the attorney-client privilege, work product immunity,  
 3 joint defense or common interest, or any other applicable privilege or protection, Defendants  
 4 hereby claim such privileges and immunities and object on such grounds. Defendants do not  
 5 waive, intentionally or otherwise, any attorney-client privilege, work-product immunity, joint  
 6 defense or common-interest privilege or any other privilege, immunity, or other protection that  
 7 may be asserted to protect information from disclosure.

8       8. Defendants object to the Requests to the extent that they are compound, complex  
 9 and contain multiple subparts.

10      9. Defendants object to the definitions of “WAYMO” and “GOOGLE” as overbroad,  
 11 vague, and ambiguous because Defendants do not know, for example, all “current and former  
 12 employees, counsel, agents, consultants, representatives, and any other persons acting on behalf  
 13 of” each entity.

14      10. Defendants object to the definition of “UBER” as overbroad, circular, and  
 15 indecipherable in purporting to include all “officers, directors, current and former employees,  
 16 counsel, agents, consultants, representatives, and any other persons acting on behalf of any of the  
 17 foregoing,” and all “affiliates, parents, divisions, joint ventures, licensees, franchisees, assigns,  
 18 predecessors and successors in interest, and any other legal entities, whether foreign or domestic,  
 19 that are owned or controlled by UBER, and all predecessors and successors interest to such  
 20 entities, and any entity owned in whole or in part by, affiliated with, or controlled in whole or in  
 21 part by UBER.” Uber responds to these Requests on its own behalf.

22      11. Defendants object to the definition of “OTTOMOTTO” as overbroad, circular, and  
 23 indecipherable in purporting to include all “officers, directors, current and former employees,  
 24 counsel, agents, consultants, representatives, and any other persons acting on behalf of any of the  
 25 foregoing,” and all “affiliates, parents, divisions, joint ventures, licensees, franchisees, assigns,  
 26 predecessors and successors in interest, and any other legal entities, whether foreign or domestic,  
 27 that are owned or controlled by OTTOMOTTO, and all predecessors and successors interest to  
 28 such entities, and any entity owned in whole or in part by, affiliated with, or controlled in whole

1 or in part by OTTOMOTTO.” Ottomotto responds to these Requests on its own behalf.

2       12. Defendants object to the definitions of “DOCUMENTS” AND  
 3 “COMMUNICATIONS” to the extent they are overbroad, not reasonably particularized, and seek  
 4 or purport to impose obligations beyond or inconsistent with those imposed by the Federal Rules  
 5 of Civil Procedure, Federal Rules of Evidence, or the applicable rules and orders of this Court,  
 6 including in seeking material that is not reasonably accessible.

7       13. Defendants object to the definitions of “REGARDING” as overbroad and not  
 8 reasonably particularized.

9       14. Defendants object to Instruction No. 1 as overbroad, unduly burdensome, and not  
 10 proportional to the needs of the case to the extent it purports to impose duties greater than those  
 11 set forth in the Federal Rules and the Court’s orders, including to the extent it purports to require  
 12 the production of documents or information not in the Defendants’ possession, custody, or  
 13 control.

14       15. Defendants object to Instruction Nos. 2 and 4 through 7 as overbroad, unduly  
 15 burdensome, and not proportional to the needs of the case to the extent they purport to impose  
 16 duties greater than those set forth in the Federal Rules and the Court’s orders.

17       16. Defendants object to Instruction No. 8 as overbroad, unduly burdensome, and not  
 18 proportional to the needs of the case to the extent it purports to impose duties greater than those  
 19 set forth in the Federal Rules and the Court’s orders.

20       17. Defendants object to Instruction No. 9 as overbroad, unduly burdensome, and not  
 21 proportional to the needs of the case to the extent it purports to impose duties greater than those  
 22 set forth in the Court’s Supplemental Order and the Federal Rules of Civil Procedure.

23       18. Defendants object to “definition” nos. 14-17 because they violate the rules of  
 24 grammar and create nonsensical and unintelligible Requests. Defendants will respond to each  
 25 Request by applying the normal rules of grammar and generally-accepted meanings of undefined  
 26 terms.

27              Subject to without waiving its General Objections, Defendants object and respond to the  
 28 Requests as follow:

## **SPECIFIC OBJECTIONS AND RESPONSES**

**REQUEST FOR PRODUCTION NO. 1:**

All DOCUMENTS and COMMUNICATIONS REGARDING the following subject  
matters described in the JACOBS LETTER:

a. Richard Jacobs advocated for a secure and encrypted centralized database to ensure confidentiality and recordkeeping but provide access to intelligence for Threat Operations personnel;

b. UBER has efforts to evade current and future discovery requests, court orders, and government investigations:

c. Craig Clark devised training and provided advice intended to impede, obstruct, or influence the investigation of lawsuits against UBER and in relation to or contemplation of other matters within the jurisdiction of the United States:

d. UBER conceals, covers-up and falsifies records through the abuse of attorney-client privilege designations:

e UBER's use of HUMINT data gathering:

f UBER's alteration of software on competitors' systems:

g. UBER's acquisition of competitors' trade secrets, codebase, and competitive intelligence.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

Defendants will produce responsive, non-privileged documents, to the extent they exist, within the custody, possession, or control of Defendants located through a reasonably diligent search in view of the extraordinarily expedited schedule for supplemental discovery.

Defendants object that they were provided only six business days to identify, collect, and produce documents responsive to Waymo’s forty broad document requests. Any production that is made and all searches performed are limited to what is possible to do in such a short amount of time. Defendants further object to this Request to the extent that it seeks information protected by the attorney-client privilege or the work product doctrine or that is otherwise privileged or protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and

1 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and  
 2 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 3 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 4 described in the JACOBS LETTER that have nothing to do with the allegations of trade secret  
 5 misappropriation at issue in this case. Defendants further object to this Request to the extent it  
 6 mischaracterizes the allegations in the JACOBS LETTER. Defendants further object to this  
 7 Request to the extent it seeks documents that are protected by the right of privacy under the  
 8 California Constitution, United States Constitution, or other applicable law. Defendants further  
 9 object to this Request to the extent it seeks information not within Defendants’ possession,  
 10 custody, or control and not kept by Defendants in the ordinary course of business. Defendants  
 11 further object to this Request insofar as it purports to require Defendants to search for information  
 12 beyond that which is available after a reasonable search as it relates to this case and the scope of  
 13 discovery at this stage. Defendants further object to this Request because it is not limited in time,  
 14 and will produce information from a reasonable time period as it relates to this case and the  
 15 specific issues that are the focus of this Request.

**REQUEST FOR PRODUCTION NO. 2:**

17 All DOCUMENTS or COMMUNICATIONS regarding the JACOBS LETTER, including  
 18 but not limited to DOCUMENTS or COMMUNICATIONS regarding Travis Kalanick's,  
 19 Salle Yoo's, Angella Padilla's, Aaron Bergstrom's, Nicole Bartow's, Bill Gurley's, Bill Gurley's  
 20 counsel's, Matt Cohler's, Matt Cohler's counsel, David Bonderman's, David Bonderman's  
 21 counsel's, David Trujillo's, David Trujillo's counsel's, Ariana Huffington's, and  
 22 Ariana Huffington's counsel's, UBER Board of Directors' or individual Directors', or the  
 23 corporate lawyers for the Board of Directors', knowledge of and discussions regarding the  
 24 JACOBS LETTER.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

26 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 27 within the custody, possession, or control of Defendants located through a reasonably diligent  
 28 search in view of the extraordinarily expedited schedule for supplemental discovery.

1        Defendants object that they were provided only six business days to identify, collect, and  
 2 produce documents responsive to Waymo's forty broad document requests. Any production that  
 3 is made and all searches performed are limited to what is possible to do in such a short amount of  
 4 time. Defendants further object to this Request to the extent that it seeks information protected by  
 5 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 6 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 7 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 8 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 9 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 10 described in the JACOBS LETTER that have nothing to do with the allegations of trade secret  
 11 misappropriation at issue in this case. Defendants further object to this Request to the extent it  
 12 seeks documents that are protected by the right of privacy under the California Constitution,  
 13 United States Constitution, or other applicable law. Defendants further object to this Request to  
 14 the extent it seeks information not within Defendants' possession, custody, or control and not  
 15 kept by Defendants in the ordinary course of business, including to the extent it purports to  
 16 require production from Board members or committees or their counsel. Defendants further  
 17 object to this Request insofar as it purports to require Defendants to search for information  
 18 beyond that which is available after a reasonable search as it relates to this case and the scope of  
 19 discovery at this stage.

20 **REQUEST FOR PRODUCTION NO. 3:**

21        All DOCUMENTS or COMMUNICATIONS regarding UBER's decision not to produce  
 22 the JACOBS LETTER in THIS CASE, including but not limited to the UBER Board of  
 23 Directors' or individual Directors' knowledge of and discussions regarding whether to produce  
 24 the JACOBS LETTER and Travis Kalanick's, Salle Yoo's, Angella Padilla's, Aaron Bergstrom's,  
 25 Nicole Bartow's, Bill Gurley's, Bill Gurley's counsel's, Matt Cohler's, Matt Cohler's counsel,  
 26 David Bonderman's, David Bonderman's counsel's, David Trujillo's, David Trujillo's counsel's,  
 27 Ariana Huffington's, Ariana Huffington's counsel's, UBER Board of Directors' or individual  
 28

1 Directors', or the corporate lawyers for the Board of Directors', knowledge of and discussions  
 2 regarding whether to produce the JACOBS LETTER.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

4 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 5 regarding knowledge of the Jacobs Letter and any discussions regarding whether to produce it (if  
 6 any took place), within the custody, possession, or control of Defendants located through a  
 7 reasonably diligent search in view of the extraordinarily expedited schedule for supplemental  
 8 discovery.

9 Defendants object that this Request is argumentative and based on a false factual predicate  
 10 – that Uber made a decision not to produce the Jacobs Letter in this action. Defendants further  
 11 object that they were provided only six business days to identify, collect, and produce documents  
 12 responsive to Waymo's forty broad document requests. Any production that is made and all  
 13 searches performed are limited to what is possible to do in such a short amount of time.  
 14 Defendants further object to this Request to the extent that it seeks information protected by the  
 15 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
 16 from discovery. Defendants further object to this Request as irrelevant, overbroad, and not  
 17 proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 18 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 19 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 20 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 21 Defendants further object to this Request to the extent it seeks information not within Defendants'  
 22 possession, custody, or control and not kept by Defendants in the ordinary course of business,  
 23 including to the extent it purports to require production from Board members or committees or  
 24 their counsel. Defendants further object to this Request insofar as it purports to require  
 25 Defendants to search for information beyond that which is available after a reasonable search as it  
 26 relates to this case and the scope of discovery at this stage.

1           **REQUEST FOR PRODUCTION NO. 4:**

2           All DOCUMENTS regarding any consulting service(s) Richard Jacobs provided to UBER  
 3 or any person or entity acting on UBER'S behalf since he left UBER's employment.

4           **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

5           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 6 within the custody, possession, or control of Defendants located through a reasonably diligent  
 7 search in view of the extraordinarily expedited schedule for supplemental discovery.

8           Defendants object that they were provided only six business days to identify, collect, and  
 9 produce documents responsive to Waymo's forty broad document requests. Any production that  
 10 is made and all searches performed are limited to what is possible to do in such a short amount of  
 11 time. Defendants further object to this Request to the extent that it seeks information protected by  
 12 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 13 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 14 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS.

15          Defendants further object to this Request as irrelevant, overbroad, and not proportional to the  
 16 needs of the case to the extent that it seeks documents relating to subjects that have nothing to do  
 17 with the allegations of trade secret misappropriation at issue in this case. Defendants further  
 18 object to this Request as confusing and vague, specifically the phrase "any person or entity acting  
 19 on UBER'S behalf." Defendants further object to this Request to the extent it seeks information  
 20 not within Defendants' possession, custody, or control and not kept by Defendants in the ordinary  
 21 course of business. Defendants further object to this Request insofar as it purports to require  
 22 Defendants to search for information beyond that which is available after a reasonable search as it  
 23 relates to this case and the scope of discovery at this stage.

24           **REQUEST FOR PRODUCTION NO. 5:**

25          All DOCUMENTS and COMMUNICATIONS relating to any investigation undertaken  
 26 by UBER or any person or entity acting on UBER'S behalf into any of the allegations in the  
 27 JACOBS LETTER, including but not limited to any reports made to UBER and/or its Board of

1 Directors or committees of the Board of Directors, and the factual materials on which any such  
 2 reports are based.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

4 Defendants will produce responsive, non-privileged documents, to the extent they exist  
 5 and pertain to the allegations in the Jacobs Letter regarding use of non-attributable devices,  
 6 ephemeral communications, Waymo's trade secrets or other confidential information, the Uber-  
 7 Otto acquisition, Uber's document retention policies, and the use of attorney client and work  
 8 product privileges, within the custody, possession, or control of Defendants located through a  
 9 reasonably diligent search in view of the extraordinarily expedited schedule for supplemental  
 10 discovery.

11 Defendants object that they were provided only six business days to identify, collect, and  
 12 produce documents responsive to Waymo's forty broad document requests. Any production that  
 13 is made and all searches performed are limited to what is possible to do in such a short amount of  
 14 time. Defendants further object to this Request to the extent that it seeks information protected by  
 15 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 16 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 17 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 18 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 19 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 20 described in the JACOBS LETTER that have nothing to do with the allegations of trade secret  
 21 misappropriation at issue in this case. Defendants further object to this Request as confusing and  
 22 vague, specifically the phrases "any person or entity acting on UBER'S behalf" and "the factual  
 23 materials on which any such reports are based." Defendants further object to this Request to the  
 24 extent it seeks documents that are protected by the right of privacy under the California  
 25 Constitution, United States Constitution, or other applicable law. Defendants further object to  
 26 this Request to the extent it seeks information not within Defendants' possession, custody, or  
 27 control and not kept by Defendants in the ordinary course of business, including to the extent it  
 28 purports to require production from Board members or committees or their counsel. Defendants

1 further object to this Request insofar as it purports to require Defendants to search for information  
 2 beyond that which is available after a reasonable search as it relates to this case and the scope of  
 3 discovery at this stage.

4 **REQUEST FOR PRODUCTION NO. 6:**

5 All DOCUMENTS and COMMUNICATIONS REGARDING COMMUNICATIONS  
 6 from or to or with Richard Jacobs or anyone acting on his behalf in relation to any of the issues  
 7 described in the JACOBS LETTER either before or after his employment at UBER ended.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

9 Defendants will produce responsive, non-privileged documents from or to or with Richard  
 10 Jacobs that pertain to the allegations in the Jacobs Letter regarding use of non-attributable  
 11 devices, ephemeral communications, Waymo's trade secrets or other confidential information, the  
 12 Uber-Otto acquisition, Uber's document retention policies, and the use of attorney client and  
 13 work product privileges, to the extent they exist, within the custody, possession, or control of  
 14 Defendants located through a reasonably diligent search in view of the extraordinarily expedited  
 15 schedule for supplemental discovery.

16 Defendants object that they were provided only six business days to identify, collect, and  
 17 produce documents responsive to Waymo's forty broad document requests. Any production that  
 18 is made and all searches performed are limited to what is possible to do in such a short amount of  
 19 time. Defendants further object to this Request to the extent that it seeks information protected by  
 20 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 21 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 22 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 23 COMMUNICATIONS REGARDING COMMUNICATIONS. Defendants further object to this  
 24 Request as irrelevant, overbroad, and not proportional to the needs of the case to the extent that it  
 25 seeks documents relating to subjects described in the JACOBS LETTER that have nothing to do  
 26 with the allegations of trade secret misappropriation at issue in this case. Defendants further  
 27 object to this Request as confusing and vague, specifically the phrase "anyone acting on [Richard  
 28 Jacobs'] behalf" and "in relation to any of the issues." Defendants further object to this Request

1 to the extent it seeks information not within Defendants' possession, custody, or control and not  
 2 kept by Defendants in the ordinary course of business. Defendants further object to this Request  
 3 insofar as it purports to require Defendants to search for information beyond that which is  
 4 available after a reasonable search as it relates to this case and the scope of discovery at this stage.

5 **REQUEST FOR PRODUCTION NO. 7:**

6 All COMMUNICATIONS with UBER employees or former employees in which the  
 7 employees or former employees raised concerns about issues discussed in the JACOBS LETTER.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

9 Defendants will produce responsive, non-privileged documents, to the extent they exist  
 10 and pertain to the allegations in the Jacobs Letter regarding use of non-attributable devices,  
 11 ephemeral communications, Waymo's trade secrets or other confidential information, the Uber-  
 12 Otto acquisition, Uber's document retention policies, and the use of attorney client and work  
 13 product privileges, within the custody, possession, or control of Defendants located through a  
 14 reasonably diligent search in view of the extraordinarily expedited schedule for supplemental  
 15 discovery.

16 Defendants object that they were provided only six business days to identify, collect, and  
 17 produce documents responsive to Waymo's forty broad document requests. Any production that  
 18 is made and all searches performed are limited to what is possible to do in such a short amount of  
 19 time. Defendants further object to this Request to the extent that it seeks information protected by  
 20 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 21 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 22 not proportional to the needs of the case to the extent that it seeks "all" COMMUNICATIONS.  
 23 Defendants further object to this Request as irrelevant, overbroad, and not proportional to the  
 24 needs of the case to the extent that it seeks documents relating to subjects described in the  
 25 JACOBS LETTER that have nothing to do with the allegations of trade secret misappropriation at  
 26 issue in this case. Defendants further object to this Request as confusing and vague, specifically  
 27 the phrases "raised concerns" and "issues discussed." Defendants further object to this Request to  
 28 the extent it seeks documents that are protected by the right of privacy under the California

1 Constitution, United States Constitution, or other applicable law. Defendants further object to  
 2 this Request to the extent it seeks information not within Defendants' possession, custody, or  
 3 control and not kept by Defendants in the ordinary course of business. Defendants further object  
 4 to this Request insofar as it purports to require Defendants to search for information beyond that  
 5 which is available after a reasonable search as it relates to this case and the scope of discovery at  
 6 this stage. Defendants further object to this Request because it is not limited in time, and will  
 7 produce information from a reasonable time period as it relates to this case and the specific issues  
 8 that are the focus of this Request.

9 **REQUEST FOR PRODUCTION NO. 8:**

10 All DOCUMENTS and COMMUNICATIONS regarding Richard Jacobs' separation from  
 11 UBER, including but not limited to any reports made to UBER and/or its Board of Directors or  
 12 committees of the Board of Directors regarding any misconduct purportedly committed by  
 13 Richard Jacobs, and the factual materials on which any such reports are based.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

15 Defendants will produce responsive, non-privileged documents, to the extent they exist  
 16 and pertain to the allegations in the Jacobs Letter regarding use of non-attributable devices,  
 17 ephemeral communications, Waymo's trade secrets or other confidential information, the Uber-  
 18 Otto acquisition, Uber's document retention policies, and the use of attorney client and work  
 19 product privileges, within the custody, possession, or control of Defendants located through a  
 20 reasonably diligent search in view of the extraordinarily expedited schedule for supplemental  
 21 discovery.

22 Defendants object that they were provided only six business days to identify, collect, and  
 23 produce documents responsive to Waymo's forty broad document requests. Any production that  
 24 is made and all searches performed are limited to what is possible to do in such a short amount of  
 25 time. Defendants further object to this Request to the extent that it seeks information protected by  
 26 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 27 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 28 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and

1 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 2 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 3 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 4 Defendants further object to this Request as confusing and vague, specifically the phrase “the  
 5 factual materials on which any such reports are based.” Defendants further object to this Request  
 6 to the extent it seeks documents that are protected by the right of privacy under the California  
 7 Constitution, United States Constitution, or other applicable law. Defendants further object to  
 8 this Request to the extent it seeks information not within Defendants’ possession, custody, or  
 9 control and not kept by Defendants in the ordinary course of business, including to the extent it  
 10 purports to require production from Board members or committees or their counsel. Defendants  
 11 further object to this Request insofar as it purports to require Defendants to search for information  
 12 beyond that which is available after a reasonable search as it relates to this case and the scope of  
 13 discovery at this stage. Defendants further object to this Request because it is not limited in time,  
 14 and will produce information from a reasonable time period as it relates to this case and the  
 15 specific issues that are the focus of this Request.

16 **REQUEST FOR PRODUCTION NO. 9:**

17 All DOCUMENTS and COMMUNICATIONS regarding Richard Jacobs’ settlement with  
 18 UBER, including but not limited to any reports made to UBER and/or its Board of Directors or  
 19 committees of the Board of Directors regarding any misconduct purportedly committed by  
 20 Richard Jacobs, and the factual materials on which any such reports are based.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

22 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 23 within the custody, possession, or control of Defendants located through a reasonably diligent  
 24 search in view of the extraordinarily expedited schedule for supplemental discovery.

25 Defendants object that they were provided only six business days to identify, collect, and  
 26 produce documents responsive to Waymo’s forty broad document requests. Any production that  
 27 is made and all searches performed are limited to what is possible to do in such a short amount of  
 28 time. Defendants further object to this Request to the extent that it seeks information protected by

1 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 2 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 3 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and  
 4 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 5 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 6 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 7 Defendants further object to this Request as confusing and vague, specifically the phrases “any  
 8 misconduct purportedly committed by Richard Jacobs,” and “the factual materials on which any  
 9 such reports are based.” Defendants further object to this Request to the extent it seeks  
 10 documents that are protected by the right of privacy under the California Constitution, United  
 11 States Constitution, or other applicable law. Defendants further object to this Request to the  
 12 extent it seeks information not within Defendants’ possession, custody, or control and not kept by  
 13 Defendants in the ordinary course of business, including to the extent it purports to require  
 14 production from Board members or committees or their counsel. Defendants further object to this  
 15 Request insofar as it purports to require Defendants to search for information beyond that which  
 16 is available after a reasonable search as it relates to this case and the scope of discovery at this  
 17 stage. Defendants further object to this Request because it is not limited in time, and will produce  
 18 information from a reasonable time period as it relates to this case and the specific issues that are  
 19 the focus of this Request.

20 **REQUEST FOR PRODUCTION NO. 10:**

21 All DOCUMENTS and COMMUNICATIONS REGARDING arbitration proceedings  
 22 involving WARD SPANGENBERG.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

24 Defendants will produce documents filed in the Spangenberg arbitration and the San  
 25 Francisco Superior Court case located through a reasonably diligent search in view of the  
 26 extraordinarily expedited schedule for supplemental discovery.

27 Defendants object that they were provided only six business days to identify, collect, and  
 28 produce documents responsive to Waymo’s forty broad document requests. Any production that

1 is made and all searches performed are limited to what is possible to do in such a short amount of  
 2 time. Defendants further object to this Request to the extent that it seeks information protected by  
 3 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 4 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 5 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and  
 6 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 7 not proportional to the needs of the case to the extent that it seeks documents that have nothing to  
 8 do with the allegations of trade secret misappropriation at issue in this case. Defendants further  
 9 object to this Request to the extent it seeks documents that are protected by the right of privacy  
 10 under the California Constitution, United States Constitution, or other applicable law. Defendants  
 11 further object to this Request to the extent it seeks information not within Defendants’ possession,  
 12 custody, or control and not kept by Defendants in the ordinary course of business. Defendants  
 13 further object to this Request insofar as it purports to require Defendants to search for information  
 14 beyond that which is available after a reasonable search as it relates to this case and the scope of  
 15 discovery at this stage.

**REQUEST FOR PRODUCTION NO. 11:**

17 All DOCUMENTS and COMMUNICATIONS REGARDING Uber’s firing of two  
 18 inhouse attorneys “after they turned to outside attorneys for advice on proposed changes to the  
 19 company’s document- and data-retention policy” as reported in  
 20 [http://www.corpcounsel.com/topstories/id=1202786179042/Ubers-Firing-of-2-InHouse-Lawyers-  
Raises-Questions-About-Legal-Culture?mcode=1202614998472&curindex=0](http://www.corpcounsel.com/topstories/id=1202786179042/Ubers-Firing-of-2-InHouse-Lawyers-Raises-Questions-About-Legal-Culture?mcode=1202614998472&curindex=0)

**RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

23 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 24 within the custody, possession, or control of Defendants located through a reasonably diligent  
 25 search in view of the extraordinarily expedited schedule for supplemental discovery.

26 Defendants object that they were provided only six business days to identify, collect, and  
 27 produce documents responsive to Waymo’s forty broad document requests. Any production that  
 28 is made and all searches performed are limited to what is possible to do in such a short amount of

1 time. Defendants further object to this Request to the extent that it seeks information protected by  
 2 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 3 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 4 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and  
 5 COMMUNICATIONS REGARDING. Defendants further object to this Request as irrelevant,  
 6 overbroad, and not proportional to the needs of the case to the extent that it seeks documents  
 7 relating to subjects that have nothing to do with the JACOBS LETTER or the allegations of trade  
 8 secret misappropriation at issue in this case. Defendants further object to this Request to the  
 9 extent it seeks documents that are protected by the right of privacy under the California  
 10 Constitution, United States Constitution, or other applicable law. Defendants further object to  
 11 this Request to the extent it seeks information not within Defendants’ possession, custody, or  
 12 control and not kept by Defendants in the ordinary course of business. Defendants further object  
 13 to this Request insofar as it purports to require Defendants to search for information beyond that  
 14 which is available after a reasonable search as it relates to this case and the scope of discovery at  
 15 this stage. Defendants further object to this Request because it is not limited in time, and will  
 16 produce information from a reasonable time period as it relates to this case and the specific issues  
 17 that are the focus of this Request.

18 **REQUEST FOR PRODUCTION NO. 12:**

19 DOCUMENTS sufficient to identify any anonymous servers used by UBER employees in  
 20 their work for UBER.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

22 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 23 within the custody, possession, or control of Defendants located through a reasonably diligent  
 24 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient  
 25 to identify any “anonymous servers” used by Uber ATG, Marketplace Analytics, or Strategic  
 26 Services Group employees in their work for Uber.

27 Defendants object that they were provided only six business days to identify, collect, and  
 28 produce documents responsive to Waymo’s forty broad document requests. Any production that

1 is made and all searches performed are limited to what is possible to do in such a short amount of  
 2 time. Defendants further object to this Request to the extent that it seeks information protected by  
 3 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 4 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 5 not proportional to the needs of the case to the extent that it seeks documents regarding every  
 6 Uber employee, which number more than 15,000. Defendants further object to this Request as  
 7 irrelevant, overbroad, and not proportional to the needs of the case to the extent that it seeks  
 8 documents relating to subjects that have nothing to do with the allegations of trade secret  
 9 misappropriation at issue in this case. Defendants further object to this Request as confusing and  
 10 vague, specifically the phrase “anonymous servers.” Defendants further object to this Request to  
 11 the extent it seeks information not within Defendants’ possession, custody, or control and not  
 12 kept by Defendants in the ordinary course of business. Defendants further object to this Request  
 13 insofar as it purports to require Defendants to search for information beyond that which is  
 14 available after a reasonable search as it relates to this case and the scope of discovery at this stage.  
 15 Defendants further object to this Request because it is not limited in time, and will produce  
 16 information from a reasonable time period as it relates to this case and the specific issues that are  
 17 the focus of this Request.

18 **REQUEST FOR PRODUCTION NO. 13:**

19 DOCUMENTS sufficient to identify any anonymous servers accessed by  
 20 ANTHONY LEVANDOWSKI.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

22 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 23 within the custody, possession, or control of Defendants located through a reasonably diligent  
 24 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient  
 25 to identify any “anonymous servers” accessed by Anthony Levandowski in his work for  
 26 Ottomotto or Uber.

27 Defendants object that they were provided only six business days to identify, collect, and  
 28 produce documents responsive to Waymo’s forty broad document requests. Any production that

1 is made and all searches performed are limited to what is possible to do in such a short amount of  
 2 time. Defendants further object to this Request to the extent that it seeks information protected by  
 3 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 4 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 5 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 6 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 7 Defendants further object to this Request as confusing and vague, specifically the phrase  
 8 “anonymous servers.” Defendants further object to this Request to the extent it requests  
 9 production of documents outside Defendants’ custody, possession, or control. Defendants further  
 10 object to this Request insofar as it purports to require Defendants to search for information  
 11 beyond that which is available after a reasonable search as it relates to this case and the scope of  
 12 discovery at this stage.

13 **REQUEST FOR PRODUCTION NO. 14:**

14 DOCUMENTS sufficient to identify any anonymous servers accessed by any member of  
 15 UBER ATG.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

17 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 18 within the custody, possession, or control of Defendants located through a reasonably diligent  
 19 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient  
 20 to identify any “anonymous servers” accessed by any member of Uber ATG as part of their work  
 21 for Uber ATG.

22 Defendants object that they were provided only six business days to identify, collect, and  
 23 produce documents responsive to Waymo’s forty broad document requests. Any production that  
 24 is made and all searches performed are limited to what is possible to do in such a short amount of  
 25 time. Defendants further object to this Request to the extent that it seeks information protected by  
 26 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 27 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 28 not proportional to the needs of the case to the extent that it seeks documents relating to subjects

1 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 2 Defendants further object to this Request as confusing and vague, specifically the phrase  
 3 “anonymous servers.” Defendants further object to this Request to the extent it seeks information  
 4 not within Defendants’ possession, custody, or control and not kept by Defendants in the ordinary  
 5 course of business. Defendants further object to this Request insofar as it purports to require  
 6 Defendants to search for information beyond that which is available after a reasonable search as it  
 7 relates to this case and the scope of discovery at this stage. Defendants further object to this  
 8 Request because it is not limited in time, and will produce information from a reasonable time  
 9 period as it relates to this case and the specific issues that are the focus of this Request.

10 **REQUEST FOR PRODUCTION NO. 15:**

11 All DOCUMENTS and COMMUNICATIONS regarding the use of anonymous servers  
 12 by UBER employees in their work for UBER, including but not limited to COMMUNICATIONS  
 13 with any third parties.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

15 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 16 within the custody, possession, or control of Defendants located through a reasonably diligent  
 17 search in view of the extraordinarily expedited schedule for supplemental discovery regarding the  
 18 use of “anonymous servers” by Uber ATG, Marketplace Analytics, or Strategic Services Group  
 19 employees in their work for Uber.

20 Defendants object that they were provided only six business days to identify, collect, and  
 21 produce documents responsive to Waymo’s forty broad document requests. Any production that  
 22 is made and all searches performed are limited to what is possible to do in such a short amount of  
 23 time. Defendants further object to this Request to the extent that it seeks information protected by  
 24 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 25 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 26 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and  
 27 COMMUNICATIONS and seeks documents regarding every Uber employee, which number  
 28 more than 15,000. Defendants further object to this Request as irrelevant, overbroad, and not

1 proportional to the needs of the case to the extent that it seeks documents relating to subjects that  
 2 have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 3 Defendants further object to this Request as confusing and vague, specifically the phrase  
 4 “anonymous servers.” Defendants further object to this Request to the extent it seeks information  
 5 not within Defendants’ possession, custody, or control and not kept by Defendants in the ordinary  
 6 course of business. Defendants further object to this Request insofar as it purports to require  
 7 Defendants to search for information beyond that which is available after a reasonable search as it  
 8 relates to this case and the scope of discovery at this stage. Defendants further object to this  
 9 Request because it is not limited in time, and will produce information from a reasonable time  
 10 period as it relates to this case and the specific issues that are the focus of this Request.

11 **REQUEST FOR PRODUCTION NO. 16:**

12 All DOCUMENTS and COMMUNICATIONS REGARDING policies, instructions,  
 13 advice or guidance provided to UBER employees REGARDING the use of anonymous servers.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

15 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 16 within the custody, possession, or control of Defendants located through a reasonably diligent  
 17 search in view of the extraordinarily expedited schedule for supplemental discovery.

18 Defendants object that they were provided only six business days to identify, collect, and  
 19 produce documents responsive to Waymo’s forty broad document requests. Any production that  
 20 is made and all searches performed are limited to what is possible to do in such a short amount of  
 21 time. Defendants further object to this Request to the extent that it seeks information protected by  
 22 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 23 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 24 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and  
 25 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 26 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 27 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 28 Defendants further object to this request as being vague and confusing, specifically its use of the

1 undefined terms “anonymous servers” and “advice or guidance.” Defendants further object to  
 2 this Request to the extent it seeks information not within Defendants’ possession, custody, or  
 3 control and not kept by Defendants in the ordinary course of business. Defendants further object  
 4 to this Request insofar as it purports to require Defendants to search for information beyond that  
 5 which is available after a reasonable search as it relates to this case and the scope of discovery at  
 6 this stage. Defendants further object to this Request because it is not limited in time, and will  
 7 produce information from a reasonable time period as it relates to this case and the specific issues  
 8 that are the focus of this Request.

9 **REQUEST FOR PRODUCTION NO. 17:**

10 All non-attributable devices used by LEVANDOWSKI.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 17:**

12 After a reasonably diligent search in view of the extraordinarily expedited schedule for  
 13 supplemental discovery, Defendants have found no non-attributable devices used by Anthony  
 14 Levandowski within Defendants’ custody, possession, or control.

15 Defendants object that they were provided only six business days to identify, collect, and  
 16 produce documents responsive to Waymo’s forty broad document requests. Any production that  
 17 is made and all searches performed are limited to what is possible to do in such a short amount of  
 18 time. Defendants further object to this Request to the extent it seeks information not within  
 19 Defendants’ possession, custody, or control and not kept by Defendants in the ordinary course of  
 20 business. Defendants further object to this Request as irrelevant, overbroad, and not proportional  
 21 to the needs of the case because it contains no time limitation. Defendants further object to the  
 22 use of the undefined terms “non-attributable devices” and “used by” in this Request as vague and  
 23 confusing. Defendants further object to this Request insofar as it purports to require Defendants  
 24 to search for information beyond that which is available after a reasonable search as it relates to  
 25 this case and the scope of discovery at this stage. Defendants further object to this Request  
 26 because it is not limited in time, and will produce information from a reasonable time period as it  
 27 relates to this case and the specific issues that are the focus of this Request.

28

1           **REQUEST FOR PRODUCTION NO. 18:**

2           DOCUMENTS sufficient to identify the ephemeral communications systems used by  
 3 anyone at UBER to communicate with LEVANDOWSKI or Lior Ron at any time.

4           **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

5           Defendants respond that they have produced voluminous documents during the course of  
 6 this litigation, including documents that contain information responsive to this Request. To the  
 7 extent Defendants locate additional responsive, non-privileged documents within the custody,  
 8 possession, or control of Defendants located through a reasonably diligent search in view of the  
 9 extraordinarily expedited schedule for supplemental discovery and sufficient to identify  
 10 ephemeral communications systems used by any Uber employees to communicate with Anthony  
 11 Levandowski or Lior Ron, they will produce them.

12           Defendants object that they were provided only six business days to identify, collect, and  
 13 produce documents responsive to Waymo's forty broad document requests. Any production that  
 14 is made and all searches performed are limited to what is possible to do in such a short amount of  
 15 time. Defendants further object to this Request to the extent that it seeks information protected by  
 16 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 17 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 18 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 19 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 20 Defendants further object to this Request to the extent it seeks information not within Defendants'  
 21 possession, custody, or control and not kept by Defendants in the ordinary course of business.  
 22 Defendants further object to this Request insofar as it purports to require Defendants to search for  
 23 information beyond that which is available after a reasonable search as it relates to this case and  
 24 the scope of discovery at this stage. Defendants further object to this Request because it is not  
 25 limited in time, and will produce information from a reasonable time period as it relates to this  
 26 case and the specific issues that are the focus of this Request.

1           **REQUEST FOR PRODUCTION NO. 19:**

2           All DOCUMENTS and COMMUNICATIONS REGARDING the use of virtual machines  
 3 that wipe clean upon closing the session by UBER employees in their work for UBER, including  
 4 but not limited to COMMUNICATIONS with any third parties.

5           **RESPONSE TO REQUEST FOR PRODUCTION NO. 19:**

6           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 7 within the custody, possession, or control of Defendants regarding the use of virtual machines  
 8 that wipe clean upon closing the session by Uber ATG, Marketplace Analytics, or Strategic  
 9 Services Group employees in their work for Uber, located through a reasonably diligent search in  
 10 view of the extraordinarily expedited schedule for supplemental discovery.

11          Defendants object that they were provided only six business days to identify, collect, and  
 12 produce documents responsive to Waymo's forty broad document requests. Any production that  
 13 is made and all searches performed are limited to what is possible to do in such a short amount of  
 14 time. Defendants further object to this Request to the extent that it seeks information protected by  
 15 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 16 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 17 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 18 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 19 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 20 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 21 Defendants further object to this Request as confusing and vague, specifically the undefined term  
 22 "virtual machines that wipe clean upon closing the session." Defendants further object to this  
 23 Request to the extent it seeks information not within Defendants' possession, custody, or control  
 24 and not kept by Defendants in the ordinary course of business. Defendants further object to this  
 25 Request insofar as it purports to require Defendants to search for information beyond that which  
 26 is available after a reasonable search as it relates to this case and the scope of discovery at this  
 27 stage. Defendants further object to this Request because it is not limited in time, and will

1 produce information from a reasonable time period as it relates to this case and the specific issues  
 2 that are the focus of this Request.

3 **REQUEST FOR PRODUCTION NO. 20:**

4 DOCUMENTS sufficient to identify any virtual machines that wipe clean upon closing  
 5 the session used by UBER employees in their work for UBER.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 20:**

7 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 8 within the custody, possession, or control of Defendants located through a reasonably diligent  
 9 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient  
 10 to identify any virtual machines that wipe clean upon closing the session used by Uber ATG,  
 11 Marketplace Analytics, or Strategic Services Group employees in their work for Uber.

12 Defendants object that they were provided only six business days to identify, collect, and  
 13 produce documents responsive to Waymo's forty broad document requests. Any production that  
 14 is made and all searches performed are limited to what is possible to do in such a short amount of  
 15 time. Defendants further object to this Request to the extent that it seeks information protected by  
 16 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 17 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 18 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 19 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 20 Defendants further object to this Request as vague and confusing, specifically the undefined term  
 21 "virtual machines that wipe clean upon closing the session." Defendants further object to this  
 22 Request to the extent it seeks information not within Defendants' possession, custody, or control  
 23 and not kept by Defendants in the ordinary course of business. Defendants further object to this  
 24 Request insofar as it purports to require Defendants to search for information beyond that which  
 25 is available after a reasonable search as it relates to this case and the scope of discovery at this  
 26 stage. Defendants further object to this Request because it is not limited in time, and will produce  
 27 information from a reasonable time period as it relates to this case and the specific issues that are  
 28 the focus of this Request.

1           **REQUEST FOR PRODUCTION NO. 21:**

2           DOCUMENTS sufficient to identify any virtual machines that wipe clean upon closing  
 3 the session accessed or used by LEVANDOWSKI in his work for UBER or OTTOMOTTO.

4           **RESPONSE TO REQUEST FOR PRODUCTION NO. 21:**

5           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 6 within the custody, possession, or control of Defendants located through a reasonably diligent  
 7 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient  
 8 to identify any virtual machines that wipe clean upon closing the session accessed or used by  
 9 Anthony Levandowski in his work for Uber or Ottomotto.

10          Defendants object that they were provided only six business days to identify, collect, and  
 11 produce documents responsive to Waymo's forty broad document requests. Any production that  
 12 is made and all searches performed are limited to what is possible to do in such a short amount of  
 13 time. Defendants further object to this Request to the extent that it seeks information protected by  
 14 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 15 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 16 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 17 described in the JACOBS LETTER that have nothing to do with the allegations of trade secret  
 18 misappropriation at issue in this case. Defendants further object to this Request as vague and  
 19 confusing, specifically the undefined term "virtual machines that wipe clean upon closing the  
 20 session." Defendants further object to this Request to the extent it seeks information not within  
 21 Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of  
 22 business. Defendants further object to this Request insofar as it purports to require Defendants to  
 23 search for information beyond that which is available after a reasonable search as it relates to this  
 24 case and the scope of discovery at this stage.

25           **REQUEST FOR PRODUCTION NO. 22:**

26          DOCUMENTS sufficient to identify any virtual machines that wipe clean upon closing  
 27 the session used or accessed by any member of UBER ATG in their work for UBER or  
 28 OTTOMOTTO.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 22:**

2           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 3 within the custody, possession, or control of Defendants located through a reasonably diligent  
 4 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient  
 5 to identify any virtual machines that wipe clean upon closing the session accessed or used by any  
 6 member of Uber ATG in their work for Uber or Ottomotto.

7           Defendants object that they were provided only six business days to identify, collect, and  
 8 produce documents responsive to Waymo's forty broad document requests. Any production that  
 9 is made and all searches performed are limited to what is possible to do in such a short amount of  
 10 time. Defendants further object to this Request to the extent that it seeks information protected by  
 11 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 12 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 13 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 14 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 15 Defendants further object to this Request as vague and confusing, specifically the undefined term  
 16 "virtual machines that wipe clean upon closing the session." Defendants further object to this  
 17 Request to the extent it seeks information not within Defendants' possession, custody, or control  
 18 and not kept by Defendants in the ordinary course of business. Defendants further object to this  
 19 Request insofar as it purports to require Defendants to search for information beyond that which  
 20 is available after a reasonable search as it relates to this case and the scope of discovery at this  
 21 stage.

22           **REQUEST FOR PRODUCTION NO. 23:**

23           All DOCUMENTS and COMMUNICATIONS REGARDING policies, instructions,  
 24 advice, or guidance provided to UBER employees REGARDING methods or strategies to  
 25 decrease the probability that documents are not discoverable in litigation or government  
 26 investigations.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 23:**

2           After a reasonably diligent search in view of the extraordinarily expedited schedule for  
 3 supplemental discovery, Defendants have found no responsive documents.

4           Defendants object that they were provided only six business days to identify, collect, and  
 5 produce documents responsive to Waymo's forty broad document requests. Any production that  
 6 is made and all searches performed are limited to what is possible to do in such a short amount of  
 7 time. Defendants further object to this Request to the extent that it seeks information protected by  
 8 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 9 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 10 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 11 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 12 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 13 that have nothing to do with the JACOBS LETTER or the allegations of trade secret  
 14 misappropriation at issue in this case. Defendants further object to this Request as vague and  
 15 confusing with regard to the undefined terms "guidance or advice," "methods or strategies," and  
 16 "not discoverable," and inintelligible with regard to meaning of "decrease the probability that  
 17 documents are not discoverable." Defendants further object to this Request to the extent it seeks  
 18 information not within Defendants' possession, custody, or control and not kept by Defendants in  
 19 the ordinary course of business. Defendants further object to this Request insofar as it purports to  
 20 require Defendants to search for information beyond that which is available after a reasonable  
 21 search as it relates to this case and the scope of discovery at this stage. Defendants further object  
 22 to this Request because it is not limited in time, and will produce information from a reasonable  
 23 time period as it relates to this case and the specific issues that are the focus of this Request.

24           **REQUEST FOR PRODUCTION NO. 24:**

25           All DOCUMENTS and COMMUNICATIONS REGARDING any presentation, training,  
 26 instructions, advice, or guidance provided by SSG to UBER ATG, including but not limited to  
 27 LEVANDOWSKI.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 24:**

2           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 3 within the custody, possession, or control of Defendants located through a reasonably diligent  
 4 search in view of the extraordinarily expedited schedule for supplemental discovery.

5           Defendants object that they were provided only six business days to identify, collect, and  
 6 produce documents responsive to Waymo's forty broad document requests. Any production that  
 7 is made and all searches performed are limited to what is possible to do in such a short amount of  
 8 time. Defendants further object to this Request to the extent that it seeks information protected by  
 9 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 10 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 11 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 12 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 13 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 14 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 15 Defendants further object to this Request as vague and confusing, specifically the undefined  
 16 terms "instructions, advice, or guidance." Defendants further object to this Request to the extent  
 17 it seeks information not within Defendants' possession, custody, or control and not kept by  
 18 Defendants in the ordinary course of business. Defendants further object to this Request insofar  
 19 as it purports to require Defendants to search for information beyond that which is available after  
 20 a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants  
 21 further object to this Request because it is not limited in time, and will produce information from  
 22 a reasonable time period as it relates to this case and the specific issues that are the focus of this  
 23 Request.

24           **REQUEST FOR PRODUCTION NO. 25:**

25           All DOCUMENTS and COMMUNICATIONS REGARDING any presentation, training,  
 26 instructions, advice, or guidance provided by SI to UBER ATG, including but not limited to  
 27 LEVANDOWSKI.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 25:**

2           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 3 within the custody, possession, or control of Defendants located through a reasonably diligent  
 4 search in view of the extraordinarily expedited schedule for supplemental discovery.

5           Defendants object that they were provided only six business days to identify, collect, and  
 6 produce documents responsive to Waymo's forty broad document requests. Any production that  
 7 is made and all searches performed are limited to what is possible to do in such a short amount of  
 8 time. Defendants further object to this Request to the extent that it seeks information protected by  
 9 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 10 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 11 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 12 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 13 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 14 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 15 Defendants further object to this Request as vague and confusing, specifically the undefined  
 16 terms "instructions, advice, or guidance." Defendants further object to this Request to the extent  
 17 it seeks information not within Defendants' possession, custody, or control and not kept by  
 18 Defendants in the ordinary course of business. Defendants further object to this Request insofar  
 19 as it purports to require Defendants to search for information beyond that which is available after  
 20 a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants  
 21 further object to this Request because it is not limited in time, and will produce information from  
 22 a reasonable time period as it relates to this case and the specific issues that are the focus of this  
 23 Request.

24           **REQUEST FOR PRODUCTION NO. 26:**

25           All DOCUMENTS and COMMUNICATIONS REGARDING any presentation, training,  
 26 instructions, advice, or guidance provided by MA to UBER ATG, including but not limited to  
 27 LEVANDOWSKI.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 26:**

2           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 3 within the custody, possession, or control of Defendants located through a reasonably diligent  
 4 search in view of the extraordinarily expedited schedule for supplemental discovery.

5           Defendants object that they were provided only six business days to identify, collect, and  
 6 produce documents responsive to Waymo's forty broad document requests. Any production that  
 7 is made and all searches performed are limited to what is possible to do in such a short amount of  
 8 time. Defendants further object to this Request to the extent that it seeks information protected by  
 9 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 10 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 11 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 12 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 13 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 14 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 15 Defendants further object to this Request as vague and confusing, specifically the undefined  
 16 terms "instructions, advice, or guidance." Defendants further object to this Request to the extent  
 17 it seeks information not within Defendants' possession, custody, or control and not kept by  
 18 Defendants in the ordinary course of business. Defendants further object to this Request insofar  
 19 as it purports to require Defendants to search for information beyond that which is available after  
 20 a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants  
 21 further object to this Request because it is not limited in time, and will produce information from  
 22 a reasonable time period as it relates to this case and the specific issues that are the focus of this  
 23 Request.

24           **REQUEST FOR PRODUCTION NO. 27:**

25           All DOCUMENTS and COMMUNICATIONS REGARDING any presentation, training,  
 26 instructions, advice, or guidance provided by Threat Operations to UBER ATG, including but not  
 27 limited to LEVANDOWSKI.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 27:**

2           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 3 within the custody, possession, or control of Defendants located through a reasonably diligent  
 4 search in view of the extraordinarily expedited schedule for supplemental discovery.

5           Defendants object that they were provided only six business days to identify, collect, and  
 6 produce documents responsive to Waymo's forty broad document requests. Any production that  
 7 is made and all searches performed are limited to what is possible to do in such a short amount of  
 8 time. Defendants further object to this Request to the extent that it seeks information protected by  
 9 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 10 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 11 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 12 COMMUNICATIONS REGARDING. Defendants further object to this Request as irrelevant,  
 13 overbroad, and not proportional to the needs of the case to the extent that it seeks documents  
 14 relating to subjects that have nothing to do with the allegations of trade secret misappropriation at  
 15 issue in this case. Defendants further object to this Request as vague and confusing, specifically  
 16 the undefined terms "instructions, advice, or guidance." Defendants further object to this Request  
 17 to the extent it seeks information not within Defendants' possession, custody, or control and not  
 18 kept by Defendants in the ordinary course of business. Defendants further object to this Request  
 19 insofar as it purports to require Defendants to search for information beyond that which is  
 20 available after a reasonable search as it relates to this case and the scope of discovery at this stage.  
 21 Defendants further object to this Request because it is not limited in time, and will produce  
 22 information from a reasonable time period as it relates to this case and the specific issues that are  
 23 the focus of this Request.

24           **REQUEST FOR PRODUCTION NO. 28:**

25           All DOCUMENTS and COMMUNICATIONS REGARDING the collection of any  
 26 competitive intelligence on WAYMO or PROJECT CHAUFFEUR by UBER or any person or  
 27 entity acting on UBER'S behalf.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 28:**

2           Defendants will produce or make available for inspection responsive, non-privileged  
 3 documents, to the extent they exist, within the custody, possession, or control of Defendants  
 4 located through a reasonably diligent search in view of the extraordinarily expedited schedule for  
 5 supplemental discovery.

6           Defendants object that they were provided only six business days to identify, collect, and  
 7 produce documents responsive to Waymo's forty broad document requests. Any production that  
 8 is made and all searches performed are limited to what is possible to do in such a short amount of  
 9 time. Defendants further object to this Request to the extent that it seeks information protected by  
 10 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 11 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 12 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 13 COMMUNICATIONS REGARDING. Defendants further object to this Request as irrelevant,  
 14 overbroad, and not proportional to the needs of the case to the extent that it seeks documents  
 15 relating to subjects that have nothing to do with the allegations of trade secret misappropriation at  
 16 issue in this case. Defendants further object to this Request as vague and confusing, specifically  
 17 the undefined terms "competitive intelligence" and "any person or entity acting on UBER'S  
 18 behalf." Defendants further object to this Request to the extent it seeks information not within  
 19 Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of  
 20 business. Defendants further object to this Request insofar as it purports to require Defendants to  
 21 search for information beyond that which is available after a reasonable search as it relates to this  
 22 case and the scope of discovery at this stage. Defendants further object to this Request because it  
 23 is not limited in time, and will produce information from a reasonable time period as it relates to  
 24 this case and the specific issues that are the focus of this Request.

25           **REQUEST FOR PRODUCTION NO. 29:**

26           All DOCUMENTS and COMMUNICATIONS REGARDING the acquisition of or  
 27 attempted acquisition of non-public autonomous vehicle technology of any UBER competitor.  
 28

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 29:**

2           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 3 within the custody, possession, or control of Defendants located through a reasonably diligent  
 4 search in view of the extraordinarily expedited schedule for supplemental discovery.

5           Defendants object that they were provided only six business days to identify, collect, and  
 6 produce documents responsive to Waymo's forty broad document requests. Any production that  
 7 is made and all searches performed are limited to what is possible to do in such a short amount of  
 8 time. Defendants further object to this Request to the extent that it seeks information protected by  
 9 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 10 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 11 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 12 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 13 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 14 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 15 Defendants further object to this Request as vague and confusing, specifically the undefined  
 16 terms "attempted acquisition," "non-public autonomous vehicle technology," and "UBER  
 17 competitor." Defendants further object to this Request to the extent it seeks information not  
 18 within Defendants' possession, custody, or control and not kept by Defendants in the ordinary  
 19 course of business. Defendants further object to this Request insofar as it purports to require  
 20 Defendants to search for information beyond that which is available after a reasonable search as it  
 21 relates to this case and the scope of discovery at this stage. Defendants further object to this  
 22 Request because it is not limited in time, and will produce information from a reasonable time  
 23 period as it relates to this case and the specific issues that are the focus of this Request.

24           **REQUEST FOR PRODUCTION NO. 30:**

25           All DOCUMENTS and COMMUNICATIONS REGARDING the preservation or  
 26 deletion of information, including intelligence data, at UBER.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 30:**

2           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 3 within the custody, possession, or control of Defendants located through a reasonably diligent  
 4 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient  
 5 to show any policies regarding the preservation or deletion of information at Uber.

6           Defendants object that they were provided only six business days to identify, collect, and  
 7 produce documents responsive to Waymo's forty broad document requests. Any production that  
 8 is made and all searches performed are limited to what is possible to do in such a short amount of  
 9 time. Defendants further object to this Request to the extent that it seeks information protected by  
 10 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 11 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 12 not proportional to the needs of the case to the extent that it seeks "all DOCUMENTS and  
 13 COMMUNICATIONS regarding the preservation or deletion of information" at Uber; that is, any  
 14 information whatsoever, without regard to subject matter or scope, in all of Uber. Defendants  
 15 further object to this Request as irrelevant, overbroad, and not proportional to the needs of the  
 16 case to the extent that it seeks documents relating to subjects that have nothing to do with the  
 17 allegations of trade secret misappropriation at issue in this case. Defendants further object to this  
 18 Request as vague and confusing, specifically the undefined terms "information" and "intelligence  
 19 data." Defendants further object to this Request to the extent it seeks information not within  
 20 Defendants' possession, custody, or control and not kept by Defendants in the ordinary course of  
 21 business. Defendants further object to this Request insofar as it purports to require Defendants to  
 22 search for information beyond that which is available after a reasonable search as it relates to this  
 23 case and the scope of discovery at this stage. Defendants further object to this Request because it  
 24 is not limited in time, and will produce information from a reasonable time period as it relates to  
 25 this case and the specific issues that are the focus of this Request.

26           **REQUEST FOR PRODUCTION NO. 31:**

27           All DOCUMENTS and COMMUNICATIONS REGARDING any trips made by  
 28 Jake Nocon, Nick Gicinto, or Ed Russo, or any other member of SSG, SI, or MA, to meet with

1 anyone from UBER ATG, including but not limited to any such trips to Pittsburgh, PA to meet  
 2 with UBER ATG.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 31:**

4 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 5 within the custody, possession, or control of Defendants located through a reasonably diligent  
 6 search in view of the extraordinarily expedited schedule for supplemental discovery.

7 Defendants object that they were provided only six business days to identify, collect, and  
 8 produce documents responsive to Waymo's forty broad document requests. Any production that  
 9 is made and all searches performed are limited to what is possible to do in such a short amount of  
 10 time. Defendants further object to this Request to the extent that it seeks information protected by  
 11 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 12 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 13 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 14 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 15 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 16 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 17 Defendants further object to this Request vague and confusing, specifically the undefined term  
 18 "trips" and phrase "to meet with." Defendants further object to this Request to the extent it seeks  
 19 information not within Defendants' possession, custody, or control and not kept by Defendants in  
 20 the ordinary course of business. Defendants further object to this Request insofar as it purports to  
 21 require Defendants to search for information beyond that which is available after a reasonable  
 22 search as it relates to this case and the scope of discovery at this stage. Defendants further object  
 23 to this Request because it is not limited in time, and will produce information from a reasonable  
 24 time period as it relates to this case and the specific issues that are the focus of this Request.

25 **REQUEST FOR PRODUCTION NO. 32:**

26 All DOCUMENTS and COMMUNICATIONS REGARDING information exchanged  
 27 between LEVANDOWSKI or Lior Ron and any person within SSG, SI, or MA, or Threat  
 28 Operations.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 32:**

2           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 3 within the custody, possession, or control of Defendants located through a reasonably diligent  
 4 search in view of the extraordinarily expedited schedule for supplemental discovery.

5           Defendants object that they were provided only six business days to identify, collect, and  
 6 produce documents responsive to Waymo's forty broad document requests. Any production that  
 7 is made and all searches performed are limited to what is possible to do in such a short amount of  
 8 time. Defendants further object to this Request to the extent that it seeks information protected by  
 9 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 10 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 11 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 12 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 13 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 14 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 15 Defendants further object to this Request because it is vague, specifically with its use of the  
 16 undefined terms "information" and "exchanged." Defendants further object to this Request to the  
 17 extent it seeks information not within Defendants' possession, custody, or control and not kept by  
 18 Defendants in the ordinary course of business. Defendants further object to this Request insofar  
 19 as it purports to require Defendants to search for information beyond that which is available after  
 20 a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants  
 21 further object to this Request because it is not limited in time, and will produce information from  
 22 a reasonable time period as it relates to this case and the specific issues that are the focus of this  
 23 Request.

24           **REQUEST FOR PRODUCTION NO. 33:**

25           All COMMUNICATIONS between Travis Kalanick and any person within SSG, SI, MA,  
 26 or Threat Operations.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 33:**

2           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 3 within the custody, possession, or control of Defendants located through a reasonably diligent  
 4 search in view of the extraordinarily expedited schedule for supplemental discovery.

5           Defendants object that they were provided only six business days to identify, collect, and  
 6 produce documents responsive to Waymo's forty broad document requests. Any production that  
 7 is made and all searches performed are limited to what is possible to do in such a short amount of  
 8 time. Defendants further object to this Request to the extent that it seeks information protected by  
 9 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 10 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 11 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 12 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 13 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 14 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 15 Defendants further object to this Request because it is vague, specifically with its use of the  
 16 undefined term "any person within SSG, SI, MA, or Threat Operations." Defendants further  
 17 object to this Request to the extent it seeks information not within Defendants' possession,  
 18 custody, or control and not kept by Defendants in the ordinary course of business. Defendants  
 19 further object to this Request insofar as it purports to require Defendants to search for information  
 20 beyond that which is available after a reasonable search as it relates to this case and the scope of  
 21 discovery at this stage. Defendants further object to this Request because it is not limited in time,  
 22 and will produce information from a reasonable time period as it relates to this case and the  
 23 specific issues that are the focus of this Request.

24           **REQUEST FOR PRODUCTION NO. 34:**

25           All DOCUMENTS and COMMUNICATIONS REGARDING SSG's or SI's VOC  
 26 (virtual operations capability).

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 34:**

2           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 3 within the custody, possession, or control of Defendants located through a reasonably diligent  
 4 search in view of the extraordinarily expedited schedule for supplemental discovery.

5           Defendants object that they were provided only six business days to identify, collect, and  
 6 produce documents responsive to Waymo's forty broad document requests. Any production that  
 7 is made and all searches performed are limited to what is possible to do in such a short amount of  
 8 time. Defendants further object to this Request to the extent that it seeks information protected by  
 9 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 10 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 11 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 12 COMMUNICATIONS REGARDING. Defendants further object to this Request as irrelevant,  
 13 overbroad, and not proportional to the needs of the case to the extent that it seeks documents  
 14 relating to subjects that have nothing to do with the allegations of trade secret misappropriation at  
 15 issue in this case. Defendants further object to this Request to the extent it seeks information not  
 16 within Defendants' possession, custody, or control and not kept by Defendants in the ordinary  
 17 course of business. Defendants further object to this Request as vague and confusing, specifically  
 18 the undefined terms "virtual operations capability." Defendants further object to this Request  
 19 insofar as it purports to require Defendants to search for information beyond that which is  
 20 available after a reasonable search as it relates to this case and the scope of discovery at this stage.  
 21 Defendants further object to this Request because it is not limited in time, and will produce  
 22 information from a reasonable time period as it relates to this case and the specific issues that are  
 23 the focus of this Request.

24           **REQUEST FOR PRODUCTION NO. 35:**

25           All DOCUMENTS and COMMUNICATIONS REGARDING any involvement of SSG,  
 26 SI, MA, or Threat Operations in UBER'S acquisition of OTTOMOTTO, including but not limited  
 27 to the negotiations between LEVANDOWSKI or Lior Ron and UBER.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 35:**

2           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 3 within the custody, possession, or control of Defendants located through a reasonably diligent  
 4 search in view of the extraordinarily expedited schedule for supplemental discovery.

5           Defendants object that they were provided only six business days to identify, collect, and  
 6 produce documents responsive to Waymo's forty broad document requests. Any production that  
 7 is made and all searches performed are limited to what is possible to do in such a short amount of  
 8 time. Defendants further object to this Request to the extent that it seeks information protected by  
 9 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 10 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 11 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 12 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 13 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 14 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 15 Defendants further object to this Request as vague and confusing, specifically with its use of the  
 16 undefined term "involvement of." Defendants further object to this Request to the extent it seeks  
 17 information not within Defendants' possession, custody, or control and not kept by Defendants in  
 18 the ordinary course of business. Defendants further object to this Request insofar as it purports to  
 19 require Defendants to search for information beyond that which is available after a reasonable  
 20 search as it relates to this case and the scope of discovery at this stage. Defendants further object  
 21 to this Request because it is not limited in time, and will produce information from a reasonable  
 22 time period as it relates to this case and the specific issues that are the focus of this Request.

23           **REQUEST FOR PRODUCTION NO. 36:**

24           All DOCUMENTS and COMMUNICATIONS regarding the creation, purpose, branding,  
 25 and rebranding of Threat Operations, SSG, SI, and MA.

26           **RESPONSE TO REQUEST FOR PRODUCTION NO. 36:**

27           Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 28 within the custody, possession, or control of Defendants located through a reasonably diligent

1 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient  
 2 to show the creation, purpose, branding, and rebranding of Threat Operations, SSG, SI, and MA.

3 Defendants object that they were provided only six business days to identify, collect, and  
 4 produce documents responsive to Waymo's forty broad document requests. Any production that  
 5 is made and all searches performed are limited to what is possible to do in such a short amount of  
 6 time. Defendants further object to this Request to the extent that it seeks information protected by  
 7 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 8 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 9 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 10 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 11 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 12 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 13 Defendants further object to this Request as vague and confusing, specifically the undefined  
 14 terms "creation, purpose, branding, and rebranding." Defendants further object to this Request to  
 15 the extent it seeks information not within Defendants' possession, custody, or control and not  
 16 kept by Defendants in the ordinary course of business. Defendants further object to this Request  
 17 insofar as it purports to require Defendants to search for information beyond that which is  
 18 available after a reasonable search as it relates to this case and the scope of discovery at this stage.  
 19 Defendants further object to this Request because it is not limited in time, and will produce  
 20 information from a reasonable time period as it relates to this case and the specific issues that are  
 21 the focus of this Request.

22 **REQUEST FOR PRODUCTION NO. 37:**

23 All DOCUMENTS and COMMUNICATIONS regarding the budgets, headcounts, and  
 24 financial resources provided to Threat Operations, SSG, SI, and MA.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 37:**

26 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 27 within the custody, possession, or control of Defendants located through a reasonably diligent  
 28 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient

1 to show the budgets, headcounts, and financial resources provided to Threat Operations, SSG, SI,  
 2 and MA, and the allocation of those resources by project or task over time.

3 Defendants object that they were provided only six business days to identify, collect, and  
 4 produce documents responsive to Waymo's forty broad document requests. Any production that  
 5 is made and all searches performed are limited to what is possible to do in such a short amount of  
 6 time. Defendants further object to this Request to the extent that it seeks information protected by  
 7 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 8 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 9 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 10 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 11 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 12 that have nothing to do with the allegations of trade secret misappropriation at issue in this case,  
 13 and includes no relevant time period. Defendants further object to this Request to the extent it  
 14 seeks information not within Defendants' possession, custody, or control and not kept by  
 15 Defendants in the ordinary course of business. Defendants further object to this Request insofar  
 16 as it purports to require Defendants to search for information beyond that which is available after  
 17 a reasonable search as it relates to this case and the scope of discovery at this stage. Defendants  
 18 further object to this Request because it is not limited in time, and will produce information from  
 19 a reasonable time period as it relates to this case and the specific issues that are the focus of this  
 20 Request. The parties have agreed to limit this request as reflected in Defendants' response.

21 **REQUEST FOR PRODUCTION NO. 38:**

22 DOCUMENTS sufficient to identify the complete organizational structure of UBER'S  
 23 Threat Operations, SSG, SI, and MA divisions or teams from January 1, 2015 to present.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 38:**

25 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 26 within the custody, possession, or control of Defendants located through a reasonably diligent  
 27 search in view of the extraordinarily expedited schedule for supplemental discovery and sufficient  
 28

1 to identify the organizational structure of Uber’s Threat Operations, SSG, SI, and MA divisions  
 2 or teams from January 1, 2015 to present.

3 Defendants object that they were provided only six business days to identify, collect, and  
 4 produce documents responsive to Waymo’s forty broad document requests. Any production that  
 5 is made and all searches performed are limited to what is possible to do in such a short amount of  
 6 time. Defendants further object to this Request to the extent that it seeks information protected by  
 7 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 8 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 9 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and  
 10 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 11 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 12 that have nothing to do with the allegations of trade secret misappropriation at issue in this case.  
 13 Defendants further object to this Request as vague and confusing, specifically the undefined  
 14 terms “complete organizational structure.” Defendants further object to this Request to the extent  
 15 it seeks information not within Defendants’ possession, custody, or control and not kept by  
 16 Defendants in the ordinary course of business. Defendants further object to this Request insofar  
 17 as it purports to require Defendants to search for information beyond that which is available after  
 18 a reasonable search as it relates to this case and the scope of discovery at this stage.

19 **REQUEST FOR PRODUCTION NO. 39:**

20 All DOCUMENTS and COMMUNICATIONS REGARDING the statements made in  
 21 Tony West’s and Dara Khosrowshahi’s emails regarding subjects referenced in the JACOBS  
 22 LETTER (as reported at <https://www.recode.net/2017/11/30/16721676/uber-security-tony-westdara-khosrowshahi-security-practices-alphabet>), including all statements related to the  
 23 JACOBS LETTER itself (including “there is more than enough there to merit serious concern”) and the statements that “we showed poor judgment in our approach to competitors and our use of ephemeral communication for business purposes,” “I’m learning about practices we followed here in the past that are simply unacceptable,” and “Another I’ve just learned about in the last

28

1 couple of days involves Uber security personnel engaging in the human surveillance of  
 2 individuals who work for competitors.”

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 39:**

4 Defendants will produce responsive, non-privileged documents, to the extent they exist,  
 5 within the custody, possession, or control of Defendants located through a reasonably diligent  
 6 search in view of the extraordinarily expedited schedule for supplemental discovery.

7 Defendants object that they were provided only six business days to identify, collect, and  
 8 produce documents responsive to Waymo’s forty broad document requests. Any production that  
 9 is made and all searches performed are limited to what is possible to do in such a short amount of  
 10 time. Defendants further object to this Request to the extent that it seeks information protected by  
 11 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 12 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 13 not proportional to the needs of the case to the extent that it seeks “all” DOCUMENTS and  
 14 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 15 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 16 described in the JACOBS LETTER that have nothing to do with the allegations of trade secret  
 17 misappropriation at issue in this case. Defendants further object to this Request as vague and  
 18 confusing, specifically its use of the undefined phrase “all statements related to.” Defendants  
 19 further object to this Request to the extent it seeks information not within Defendants’ possession,  
 20 custody, or control and not kept by Defendants in the ordinary course of business. Defendants  
 21 further object to this Request insofar as it purports to require Defendants to search for information  
 22 beyond that which is available after a reasonable search as it relates to this case and the scope of  
 23 discovery at this stage. Defendants further object to this Request because it is not limited in time,  
 24 and will produce information from a reasonable time period as it relates to this case and the  
 25 specific issues that are the focus of this Request.

26 **REQUEST FOR PRODUCTION NO. 40:**

27 All DOCUMENTS AND COMMUNICATIONS REGARDING issues raised to the  
 28 “Hotline” referenced in Tony West’s November 29, 2017 email (as reported at

1 https://www.recode.net/2017/11/30/16721676/uber-security-tony-west-dara-  
 2 khosrowshahisecurity-practices-alphabet) and that relate to the issues raised in the JACOBS  
 3 LETTER.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 40:**

5 After a reasonably diligent search in view of the extraordinarily expedited schedule for  
 6 supplemental discovery, Defendants respond that no other related complaints have been received  
 7 through the hotline.

8 Defendants object that they were provided only six business days to identify, collect, and  
 9 produce documents responsive to Waymo's forty broad document requests. Any production that  
 10 is made and all searches performed are limited to what is possible to do in such a short amount of  
 11 time. Defendants further object to this Request to the extent that it seeks information protected by  
 12 the attorney-client privilege or the work product doctrine or that is otherwise privileged or  
 13 protected from discovery. Defendants further object to this Request as irrelevant, overbroad, and  
 14 not proportional to the needs of the case to the extent that it seeks "all" DOCUMENTS and  
 15 COMMUNICATIONS. Defendants further object to this Request as irrelevant, overbroad, and  
 16 not proportional to the needs of the case to the extent that it seeks documents relating to subjects  
 17 described in the JACOBS LETTER that have nothing to do with the allegations of trade secret  
 18 misappropriation at issue in this case. Defendants further object to this Request as vague and  
 19 confusing, specifically its use of the undefined phrase "relate to the issues." Defendants further  
 20 object to this Request to the extent it seeks information not within Defendants' possession,  
 21 custody, or control and not kept by Defendants in the ordinary course of business. Defendants  
 22 further object to this Request insofar as it purports to require Defendants to search for information  
 23 beyond that which is available after a reasonable search as it relates to this case and the scope of  
 24 discovery at this stage. Defendants further object to this Request because it is not limited in time,  
 25 and will produce information from a reasonable time period as it relates to this case and the  
 26 specific issues that are the focus of this Request.

27  
 28

1 Dated: December 10, 2017

MORRISON & FOERSTER LLP

2

3

By: /s/ Arturo J. González  
ARTURO J. GONZÁLEZ

4

5

Attorneys for Defendants  
UBER TECHNOLOGIES, INC.  
and OTTOMOTTO LLC

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

## **CERTIFICATE OF SERVICE**

I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is 707 Wilshire Boulevard, Los Angeles CA 90017-3543. I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on December 11, 2017, I served a true and correct copy of:

**DEFENDANTS UBER TECHNOLOGIES, INC. AND  
OTTOMOTTO LLC'S OBJECTIONS AND RESPONSES TO  
WAYMO'S REQUESTS FOR PRODUCTION RELATING  
TO ISSUES IN JACOBS LETTER (NOS. 1-40)**

**BY ELECTRONIC SERVICE [Fed. Rule Civ. Proc. rule 5(b)]** by electronically mailing a true and correct copy through Morrison & Foerster LLP's electronic mail system to the e-mail address(es) set forth below, or as stated on the attached service list per agreement in accordance with Federal Rules of Civil Procedure rule 5(b).

| Recipient   | Email Address:  |
|---|---|
| Charles K. Verhoeven<br>David A. Perlson<br>Melissa Baily<br>John Neukom<br>Jordan Jaffe<br>James D. Judah<br>John W. McCauley<br>Felipe Corredor<br>Grant Margeson<br>Andrew M. Holmes<br>Jeff Nardinelli<br>Lindsay Cooper<br>QUINN EMANUEL URQUHART &<br>SULLIVAN, LLP<br>50 California Street, 22nd Floor<br>San Francisco, CA 94111-4788 | <a href="mailto:gewaymo@quinnemanuel.com">gewaymo@quinnemanuel.com</a>  |
| <i>Attorneys for Plaintiff Waymo LLC</i><br><br>John L. Cooper<br>Farella Braun + Martel LLP<br>Russ Building<br>235 Montgomery Street, 17th Floor<br>San Francisco, CA 94104   | <a href="mailto:JCooker@fbm.com">JCooker@fbm.com</a><br><a href="mailto:MCate@fbm.com">MCate@fbm.com</a><br><br><i>Special Master</i> |

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Los Angeles, California, this 11th day of December, 2017.

\_\_\_\_\_  
Sylvia Rivera  
(typed)

\_\_\_\_\_  
*/s/ Sylvia Rivera*  
(signature)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28